

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FRANCISCO J. VAZQUEZ,	)	
	)	
Petitioner	)	CIVIL ACTION NO. 05-40060-NMG
	)	
v.	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

GOVERNMENT'S MOTION TO ENLARGE TIME FOR FILING AN  
ANSWER (OR OTHER RESPONSIVE PLEADING) TO PETITIONER'S  
MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE

The United States of America, by its attorneys, Michael J. Sullivan, United States Attorney for the District of Massachusetts, and Antoinette E.M. Leoney, Assistant U.S. Attorney, respectfully moves that the Court enlarge the time in which the government may file an answer (or other responsive pleading) to petitioner's *pro se* motion, pursuant to 28 U.S.C. §2255, to vacate, set aside or correct sentence with respect to the Court's Order, dated July 11, 2005 [Docket #2]. The government was ordered to file a responsive pleading within 20 days of receipt of the Court's Order [August 1, 2005]. A period of thirty (30) additional days is necessary for the undersigned counsel to prepare said response, and it is requested that the Court extend the filing date to August 31, 2004.

As grounds therefor, the undersigned states the following:

1. Although the Court's Order is dated July 11, 2005,

undersigned counsel did not receive a copy of said Order until July 12, 2005.

2. Petitioner's habeas petition consists of several grounds underlying his claim, and, thus, will require the government to conduct extensive research and review of the case file and transcripts in preparation of its answer (or other responsive pleading).
3. The government needs the additional time to file its answer (or other responsive pleading) due to trial/evidentiary hearing/motion practice schedules, vacation plans, heavy workload, and other more immediate pressing matters requiring the undersigned's attention.

WHEREFORE, the government respectfully requests an enlargement of time, until August 31, 2005, for filing an answer (or other responsive pleading) to petitioner's *pro se* motion to vacate, set aside or correct sentence.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ Antoinette E.M. Leoney  
ANTOINETTE E.M. LEONEY  
Assistant U.S. Attorney

Date: August 1, 2005

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts  
August 1, 2005

I, Antoinette E.M. Leoney, Assistant U.S. Attorney, do

hereby certify that I have served a copy of the foregoing Government's Motion to Enlarge Time for Filing an Answer (or other Responsive Pleading) to Petitioner's Motion to Vacate, Set Aside or Correct Sentence, to the Petitioner, Francisco J. Vazquez, *Pro Se*, 80398-038, FCI McKean, P.O. Box 8000, Bradford, PA 16701-0980.

/s/ Antoinette E.M. Leoney  
ANTOINETTE E.M. LEONEY  
Assistant U.S. Attorney